

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **May 14, 2002**

AGENDA ITEM NO.: **30**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Prohibition Against The Carrying Of Certain Items At The Airport.**

RECOMMENDATION: Adopt an ordinance prohibiting individuals from bringing certain items through the security screening checkpoint at the Lynchburg Regional Airport.

SUMMARY: On May 10, 2002, the Lynchburg Police Department became responsible for providing security at the Lynchburg Regional Airport. The Police Department will have to provide such security until the federal government can hire, train and provide federal security officers to take over this responsibility. As part of their security duties, police officers will have to enforce federal regulations prohibiting individuals from bringing weapons, explosives, incendiaries and similar items through the security screening checkpoint at the Airport. However, it is not entirely clear whether or not local police officers have the authority to enforce such federal regulations. Because of this uncertainty some localities are adopting ordinances prohibiting individuals from bringing forbidden items into their airports. Hopefully such ordinances will assist local police officers in their security efforts.

PRIOR ACTION(S): None

FISCAL IMPACT: None

CONTACT(S): Walter C. Erwin, 847-1310 Ext. 235

ATTACHMENT(S): Ordinance adding Section 9-6.2 to the City Code

REVIEWED BY:

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 9-6.2, RELATING TO THE CARRYING OF PROHIBITED ITEMS THROUGH THE SECURITY SCREENING CHECKPOINT AT THE LYNCHBURG REGIONAL AIRPORT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 9-6.2 as follows:

Sec. 9-6.2. Prohibition against carrying weapons, explosives, incendiaries and other items.

Pursuant to the authority granted to the city by the Code of Virginia and the city's general police powers, the city does hereby adopt this section of the city code to prohibit individuals from attempting to carry unauthorized items through the security screening checkpoint at the Lynchburg Regional Airport.

(a) The following terms shall have the meanings set out herein:

(1) For purposes of this section, the "concourse sterile area" shall be defined as that portion of the airport beginning at the entrance to the concourse that provides passengers access to boarding aircraft and to which the access is controlled through the screening of persons and property in accordance with federally required and approved security procedures and programs.

(2) For purposes of this section, "airport" means the Lynchburg Regional Airport.

(b) Except as provided in paragraph (d) of this section, an individual shall not have a weapon, explosive, or incendiary, on or about the individual's person or accessible property:

(1) When performance of the inspection of the individual's person or accessible property before entering the concourse sterile area has begun;

(2) When the individual is entering or in the concourse sterile area; or,

(3) When the individual is attempting to board or onboard an aircraft for which screening is conducted under 49 CFR Section 1544.201, as amended, or 49 CFR Section 1546.201, as amended.

(c) An individual shall not attempt to carry into the concourse sterile area any weapon, explosive, or incendiary, including, without limitation, any firearm, explosive, knife with a blade of any length, straight razor, box cutter, or item with a similar blade, or any other item prohibited by applicable federal, state, or local law, regulation, or directive.

(d) Paragraphs (b) and (c) of this section do not apply as to the carrying of firearms and other weapons if the individual is one of the following:

(1) Law enforcement personnel required to carry a firearm or other weapons while in the performance of law enforcement duty at the airport;

(2) An individual authorized to carry a weapon in accordance with 49 CFR Sections 1544.219, 1544.221, 1544.223, or 1546.211, as amended; or,

(3) An individual authorized to carry a weapon in a sterile area under a federally approved aviation security program.

(e) Any individual who violates this section shall be guilty of a class 1 misdemeanor and upon conviction shall be punished by confinement in jail for not more than twelve (12) months and a fine of not more than two thousand five hundred dollars (\$2,500.00), either or both, as provided by Section 18.2-11 of the Code of Virginia.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

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